

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION))))	MDL NO. 1456 Civil Action No. 01-12257-PBS Subcategory Case No. 03-10643-PBS
THIS DOCUMENT RELATES TO: <i>The City of New York, et al.,</i> v. <i>Abbott Laboratories, et al.</i>)))))))	Judge Patti B. Saris

**[PROPOSED] ORDER ON JOINT MOTION TO EXTEND THE 90-DAY ORDER OF
DISMISSAL AS TO CERTAIN DEFENDANTS**

Saris, U.S.D.J.

The Court having reviewed the Joint Motion to Extend the 90-Day Order of Dismissal and having been advised that additional time is needed to conclude settlement discussions, finalize settlement papers and/or obtain required signatures provided for by the settlements between plaintiffs and defendants Alpharma Inc. and Purepac Pharmaceutical Co.; Eli Lilly & Company; King Pharmaceuticals Inc., King Research and Development, Monarch Pharmaceuticals Inc.; Merck & Co. Inc.; Mylan Laboratories Inc., Mylan Pharmaceuticals Inc. and UDL Laboratories Inc.; Par Pharmaceutical Companies, Inc., and Par Pharmaceutical Inc.; Roche Laboratories Inc. and Hoffman-La Roche Inc.; Schering-Plough Corp., Schering Corporation and Warrick Pharmaceuticals Corporation; and, TAP Pharmaceutical Products, Inc., in the above-entitled action:

IT IS ORDERED that the time period to reopen the action if settlement is not

consummated in the Settlement Order of Dismissal dated July 7, 2011 is extended an additional 60 days until December 5, 2011.

SO ORDERED by the Court.

Entered ____ day of _____, 2011.

THE HONORABLE PATTI B. SARIS
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I, James P Carroll Jr, hereby certify that I caused a true and correct copy of the foregoing **[PROPOSED] ORDER ON JOINT MOTION TO EXTEND THE 90-DAY ORDER OF DISMISSAL AS TO CERTAIN DEFENDANTS** to be served on all counsel of record via electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by submitting a copy to Lexis/Nexis File & Serve for posting and notification to all parties.

Dated: October 3, 2011

_____/s/ James P. Carroll Jr
James P. Carroll Jr